

### REMARKS/ARGUMENTS

This application now incorporates claims based on some of the claims of the co-pending sister application serial number 10/698,985, now before the same Examiner. To this end, new claims 37-45 have been presented. Further, claims 10, 11, 16, 17, 19-22, and 24-35 have been canceled without prejudice. The consolidation is intended to streamline the examination process. If the Examiner is in agreement with this response, then it is contemplated that no further action will be taken on the companion application.

The present application is one of a series of related patent applications based on similar disclosure that address techniques for transferring *digitally authored* moving picture content of extremely high resolution, *where the source is not videotape or film*, to a movie film. There is no recording of video anywhere in the claimed process. There is no attempt to make the image more like a film image than the source, since the original source is recorded to film. These are fundamental distinctions that evidently remain unappreciated by the Examiner. This invention and other claimed inventions in this series represent a departure from tele-cine techniques as well as laser scribing techniques.

By way of full disclosure, two patents related to this application have now issued: U.S. Patent Nos. 7,463,821 and 7,576,830.

The claims of the present application, as well as the companion application before the same Examiner, have been rejected over the Ramsay et al. reference in various combinations with other references. The Applicant maintains that the Ramsay et al. reference is inappropriate in the present context. The present invention relates to the optical transfer of original source (computer-generated) images to film media. Ramsay relates to the transfer of images recorded on a medium (subject to all of the disadvantages and limitations of that medium) to another medium. The only thing in common between the two technologies is a form of optical transfer. The so-called tele-cine processes or reverse tele-cine processes represented by Ramsay by their nature yield inferior--and for movie theater purposes unacceptable--reproduction, since the captured images lack not only the crispness of high resolution but the integrity of color, contrast

and lack of optical aberration. Much of this is because of lack of control over the source image: Film and videotape sources simply do not compare with real-life and advanced computer-generated imagery.

By contrast, the present invention discloses mechanisms for control of the image source so that film recordings of superior quality can be obtained by relatively inexpensive and relatively faster optical means, as compared to direct digital to film mechanisms also known in the art.

The prior art with which the present invention competes is the direct transfer of image information to film, as by line-by-line scanning driven directly from a computer. The prior art assumed that high quality image capture to film could only be achieved by direct transfer. This invention represents a breakthrough by showing how high quality image capture is achievable without the slow and expensive direct to film transfer process.

The different considerations in copying medium to medium as compared to the present invention of copying an original image to film must be acknowledged. So far, the Examiner has failed to make the case that the two different technologies are equivalent. They simply are not.

The Applicant renews and incorporates by reference all previous remarks and comments with respect to the subject claims. In addition, the Applicant calls attention to the opinion of Gary K. Starkweather, an acknowledged expert in the field of the invention, in the form of a Declaration Under 37 CFR 1.132. As the Starkweather Declaration confirms, the Ramsay reference simply fails as a primary reference against the claimed invention.

### **CONCLUSION**

In view of the foregoing, the Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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Amdt. dated September 28, 2009  
Reply to Office Action of August 4, 2009

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (650) 326-2400.

Respectfully submitted,



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